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E-filed 8/3/06

5 ETS-Lindgren L.P., successor in interest to
6 Rantec Power Systems Inc.,

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14 Company and FM Global Technologies

15
16 UNITED STATES DISTRICT COURT
17 NORTHERN DISTRICT OF CALIFORNIA – SAN JOSE DIVISION

18
19 LOCKHEED MARTIN
20 CORPORATION,

21 Plaintiff,

22 v.

23 RFI SUPPLY, INC., formerly known as
24 RFI COMMUNICATIONS &
25 SECURITY SYSTEMS, et al.,

26 Defendants.

CONSOLIDATED

Case Nos. CV-00-20002 (JF)
C-03-CV-04617 (JF)

**STIPULATION TO CONTINUE
HEARING DATE ON MOTION
TO ALTER OR AMEND
JUDGMENT AND CASE
MANAGEMENT CONFERENCE**

Old Date: July 28, 2006
New Date: September 29, 2006
Time: 10:00 a.m.
Judge: Hon. Jeremy Fogel

Complaint Filed: December 20, 1999

Trial Date: TBA

1 WHEREAS, ETS-Lindgren L.P., successor in interest to Rantec Power
2 Systems, Inc. ("Rantec") has filed a Motion And Motion To Alter, Amend Or Modify
3 Judgment Entered In Favor Of Factory Mutual Research Corporation
4 (Frpc 59(E)) Or In The Alternative, Motion For Leave To File A Motion For
5 Reconsideration, which motion is fully briefed and set to be heard on July 28, 2006;

6
7 WHEREAS, Factory Mutual Insurance Company ("FMIC") has filed a
8 Motion For Relief Pursuant To Rule of Civil Procedure 60(a), which motion is fully
9 briefed and set to be heard on July 28, 2006;

10
11 WHEREAS, Rantec, FMIC, and FM Global Technologies, LLC (FMRC)
12 participated in a mediation on July 13-14, wherein an agreement in principal was
13 reached that, if approved by all parties, would resolve all outstanding claims between
14 them in the matters pending before this Court, as well as a matter pending in the
15
16 United States District Court for the District of Massachusetts;

17
18 WHEREAS, the Court had scheduled a case management conference for July
19
20 28, 2006;

21
22 WHEREAS, the parties believe that it would be prudent and expeditious to
23 continue Rantec's motion and the case management conference for a period of
24 approximately 60 days so that the parties may focus on preparing and executing a
25 mutually agreeable settlement agreement and mutual release resolving all claims
26 between them;

1 WHEREAS, the Court has indicated that Rantec's motion and the case
2 management conference could be continued to September 29, 2006, at 10:00 a.m.
3

4 THEREFORE, IT IS HEREBY STIPULATED by and between the parties that
5 Rantec's Motion And Motion To Alter, Amend Or Modify Judgment Entered In
6 Favor Of Factory Mutual Research Corporation and the case management conference
7 are hereby continued to Friday, September 29, 2006, at 10:00 a.m. in Courtroom No.
8

9 3.

10 Dated: July 31, 2006

DILLINGHAM & MURPHY, LLP

11 By:

/s/

12 EDWARD E. HARTLEY

13 Attorneys for ETS-Lindgren L.P. successor in
14 interest to Rantec Power Systems Inc.

15 Dated: July 31, 2006

16 ROBINS, KAPLAN, MILLER & CIRESI LLP

17 By:

/s/

18 SCOTT G. JOHNSON

19 Attorneys for Third-Party Defendants Factory
20 Mutual Insurance Company and Factory
21 Mutual Global Technologies

IT IS SO ORDERED.

Dated: 8/3/06


24
25
26 HONORABLE JEREMY FOGEL
27 United States District Judge
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